

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JEREMY HIMAN, et al.,

Plaintiffs,

v.

THOR INDUSTRIES, INC., et al.,

Defendants.

Case No. 3:21-CV-239 JD

ORDER

On December 7, 2022, plaintiffs Jeremy Himan, Allen Polak, and Mark Prosniewski and defendants Thor Industries, Inc., DRV, LLC, Jayco Inc., and Keystone RV Company (“Defendants”) filed a joint stipulation of dismissal in which the parties agreed that all claims against Defendants should be dismissed without prejudice. (DE 42.) The other plaintiffs in this case were not named in the stipulation and would remain in the case if the Court dismissed Mr. Himan, Mr. Polak, and Mr. Prosniewski. Because the stipulation does not apply to the action as a whole, the Court construes it as a motion. *Taylor v. Brown*, 787 F.3d 851, 857–58 (7th Cir. 2015) (stating that “Rule 41(a) should be limited to dismissal of an entire action” and that Rule 15(a) is the proper vehicle for adding or dropping parties or claims). Given the lack of objection to the stipulation, the Court GRANTS the motion. All claims between the Defendants and Mr. Himan, Mr. Polak, and Mr. Prosniewski are dismissed with prejudice and with the parties to pay their own costs and expenses. This action remains pending as between Defendants and the remaining plaintiffs, Claudette Beck and Ian Fawcett.

SO ORDERED.

ENTERED: December 9, 2022

/s/ JON E. DEGUILIO
Chief Judge
United States District Court